

David A. Rosenzweig  
Mark C. Haut  
FULBRIGHT & JAWORSKI L.L.P.  
666 Fifth Avenue  
New York, New York 10103  
Tel: (212) 318-3000  
Fax: (212) 318-3400

Hearing Date: February 25, 2010 at 10:00 a.m.  
Response Date: February 18, 2010

*Counsel to Hirschmann Car Communications GmbH*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:

DPH Holdings, Corp., *et al.*,

Debtors.

Chapter 11

Case No. 05-44481 (RDD)

(Jointly Administered)

**RESPONSE OF HIRSCHMANN CAR COMMUNICATIONS GMBH TO THE  
REORGANIZED DEBTORS' FORTY-THIRD OMNIBUS OBJECTION  
PURSUANT TO 11 U.S.C. § 503(B) AND FED. R. BANKR. P. 3007 TO (I)  
EXPUNGE CERTAIN ADMINISTRATIVE EXPENSE (A) SEVERANCE  
CLAIMS, (B) BOOKS AND RECORDS CLAIMS, (C) DUPLICATE CLAIMS, (D)  
EQUITY INTERESTS, (E) PREPETITION CLAIMS, (F) INSUFFICIENTLY  
DOCUMENTED CLAIMS, (G) PENSION, BENEFIT, AND OPEB CLAIMS, (H)  
WORKERS' COMPENSATION CLAIMS, (II) MODIFY AND ALLOW  
CERTAIN ADMINISTRATIVE EXPENSE SEVERANCE CLAIMS, AND (III)  
ALLOW CERTAIN ADMINISTRATIVE EXPENSE SEVERANCE CLAIMS**

Hirschmann Car Communications GmbH ("Hirschmann"), by and through their undersigned counsel, hereby submits this response to the Reorganized Debtors' Forty-Third Omnibus Objection Pursuant to 11 U.S.C. § 503(b) and Fed. R. Bankr. P. 3007 to (I) Expunge Certain Administrative Expense (A) Severance Claims, (B) Books and Records Claims, (C) Duplicate Claims, (D) Equity Interests, (E) Prepetition Claims, (F) Insufficiently Documented Claims, (G) Pension, Benefit, and OPEB Claims, (H) Workers' Compensation Claims, (II) Modify and Allow Certain Administrative Expense Severance Claims, and (III) Allow Certain

Administrative Expense Severance Claims (the “Claims Objection”), and respectfully state as follows:

### **BACKGROUND**

1. On October 8 and 14, 2005 (the “Petition Dates”), the Debtors filed their voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Southern District of New York (the “Court” or the “Bankruptcy Court”).

2. Prior to the Petition Dates, Hirschmann supplied various coax cable assemblies (the “Parts”) to the Debtors pursuant to various purchase orders and supply contracts.

3. After the Petition Dates, the Debtors wanted Hirschmann to continue supplying Parts until such time as the Debtors could find an alternate supplier. Hirschmann agreed in exchange for the Debtors’ agreement to pay the shipping costs associated with the Parts supplied to the Debtors during this transition period (the “Agreement”).

4. On July 15, 2009, Hirschmann filed an administrative expense claim in the amount of \$118,139.91 based on the outstanding shipping costs for the post-petition Parts supplied to the Debtors (the “Administrative Expense Claim”).

5. On January 22, 2010, the Debtors filed the Claims Objection in which they seek to disallow and expunge the Administrative Expense Claim on the basis that the Debtors’ books and records do not reflect the amounts owed.<sup>1</sup>

---

<sup>1</sup> The Debtors agreed to extend Hirschmann’s time to respond to the Claims Objection to February 23, 2010.

**OBJECTION**

6. Hirschmann objects to the relief sought in the Claims Objection to the extent that the Debtors are seeking to disallow and expunge the Administrative Expense Claim. As set forth above, the Debtors agreed to pay the amounts reflected in the Administrative Expense Claim.

7. Hirschmann provided the Debtors with documentation reflecting the Agreement. The Debtors and Hirschmann are in settlement discussions in an attempt to resolve the Claims Objection. To the extent the parties cannot reach a resolution, Hirschmann will supplement this Objection with case law and documentation substantiating the Administrative Expense Claim.

**WHEREFORE**, for the reasons stated above, Hirschmann objects to the relief requested in the Claims Objection to the extent cited above and respectfully requests that it be denied, and that the Court grant such other and further relief as deemed just and proper.

Dated: February 23, 2010

Respectfully submitted,

FULBRIGHT & JAWORSKI L.L.P.

By: /s/ David A. Rosenzweig  
David A. Rosenzweig  
Mark C. Haut  
666 Fifth Avenue  
New York, New York 10103  
Tel: (212) 318-3000  
Fax: (212) 318-3400